

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CYNTHIA GASNER,

Plaintiff,

vs.

WAL-MART STORES, INC., an Arkansas
corporation;

Defendant.

7:12CV5007

**FINDINGS AND
RECOMMENDATION**

Plaintiff Cynthia Gasner's former counsel was granted leave to withdraw on October 19, 2012. (Filing No. 4). The order granting counsel's leave to withdraw stated Plaintiff Cynthia Gasner was given until November 19, 2012 to either (a) obtain the services of counsel and have that attorney file an appearance in this case; or (b) file a statement notifying the court of her intent to litigate this case without the assistance of counsel, and was warned that the failure to do so may result in a dismissal of Plaintiff's claims without further notice. (Filing No. 4. The order was mailed to Plaintiff Cynthia Gasner. (Filing No. 6).

Plaintiff Cynthia Gasner failed to comply with the court's order.

On December 11, 2012, a show cause order was mailed to Plaintiff Cynthia Gasner by the clerk's office. The show cause order advised that Plaintiff Cynthia Gasner was given until January 7, 2013 to show cause why the court should not dismiss Plaintiff's claims for want of prosecution and without further notice. (Filing No.9).. This mailing was not returned.

Plaintiff Cynthia Gasner did not respond to the show cause order.

Accordingly,

IT IS RECOMMENDED to the Honorable Richard G. Kopf, United States District Judge, pursuant to 28 U.S.C. § 636(b), that Plaintiff Cynthia Gasner's claims be dismissed for want of prosecution and without further notice.

The parties are notified that failing to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of the recommendation.

IT IS FURTHER ORDERED: The clerk shall mail a copy of this recommendation to Plaintiff Cynthia Gasner at the address of record.

January 8, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge